

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

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) MDL No. 2804
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) Case No. 17-md-2804
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This document relates to:
Track One Cases

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) Hon. Dan Aaron Polster
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ORDER AMENDING CIVIL JURY TRIAL ORDER

To facilitate the exchange of jury questionnaires, deposition testimony, and exhibits intended to be used as evidence at trial, Civil Jury Trial Order (Dkt. No. 1598) is amended to add the following provisions:

1. Section III(a)(1) (Jury Questionnaire Form) is amended as follows: All parties shall meet, confer, reach agreement, and email to Special Master Cohen a proposed Jury Questionnaire on **August 14, 2019**.

2. Section III(b)(5) (Witnesses Lists and Exhibit Lists) is amended as follows: All parties shall meet, confer, and agree upon an exhibit list form that includes the columns identified in the Civil Jury Trial Order and email it to chambers for the Court's review no later than 12:00 p.m. on **August 14, 2019**. All parties shall exchange proposed exhibit lists on **August 28, 2019**.

3. Section III(b)(8) (Deposition Testimony) is amended as follows: All parties proposing to use deposition testimony as evidence at trial shall exchange affirmative designations of the deposition testimony of witnesses unavailable to be called live during a party's case-in-chief on **August 9, 2019**. All parties shall exchange responsive designations and objections to

affirmative designations on **September 6, 2019**. In addition to their responsive designations a party may make additional non-repetitive and non-responsive designations from the depositions previously affirmatively designated during this period. On **September 25, 2019**, all parties shall exchange **FINAL** counter designations and objections. The parties shall file with the Court objections to proposed deposition testimony that cannot be resolved through the meet and confer process no later than 12:00 p.m. on **October 2, 2019**. Final deposition testimony designations shall be filed with the Court no later than 12:00 p.m. on **October 10, 2019**. Deposition testimony shall only be designated and filed for witnesses not within the subpoena power of the Court pursuant to Fed. R. Civ. P. 45(c). The parties shall be permitted to undertake designations of deposition testimony for witnesses who are discovered to be unavailable after the deadlines set forth herein, upon reasonable notice to, and with an opportunity for objections and counter-designations by, other parties.

Except as provided herein, the requirements, restrictions, and procedures set forth in the Civil Jury Trial Order shall remain in full force and effect.

IT IS SO ORDERED.

Dated: 7/29/19

/s/Dan Aaron Polster

**Honorable Dan Aaron Polster
United States District Judge**